

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

FILED

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SECRETARY, BOARD OF
OIL, GAS & MINING

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IN THE MATTER OF FORMAL
RULEMAKING TO AMEND THE
OIL AND GAS REGULATORY
PROGRAM R649 RULES TO PROVIDE
RULES GOVERNING HYDRAULIC
FRACTURING AND WELL
STIMULATION

ORDER AMENDING
OIL AND GAS PROGRAM
R649 RULES

DOCKET NO. 2012-033
CAUSE NO. RO&G-2012-02

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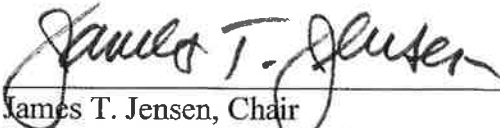
Pursuant to the notice filed by the Division of Oil, Gas & Mining ("Division") with the Board of Oil, Gas & Mining ("Board"), the proposed amendment of the Oil and Gas Program R649 Rules came before the Board for a final decision at its regularly scheduled hearing on October 24, 2012. Board members Ruland J. Gill, Kelly L. Payne, Chris D. Hansen, Carl F. Kendall, and James T. Jensen, Chair were present and participated in the hearing. Steve Alder, Assistant Attorney General, represented the Division.

Steven Schneider presented the Board with a summary of the actions taken by the Board and Division to comply with the Utah Administrative Rulemaking Act, Utah Code §§63G-3-101 et seq. (2012); specifically: that the eRules filing with the Division of Administrative Rules was completed on August 30, 2012 and the proposed rule appeared in the Utah State Bulletin on September 15, 2012; the Utah State Bulletin gave notice that there would be an opportunity for public comment as part of the Board hearing on September 26, 2012; that a 30-day comment period was provided extending through October 15, 2012; and that more than 7 days elapsed since the close of the comment period. One written comment was submitted by Devon Energy Corporation and oral comments were provided at the September 26, 2012 public hearing by Lee Peacock for the Utah Petroleum Association and Lowell Braxton for Western Energy Alliance. Western Energy Alliance also submitted a letter with their oral comment. The comments were

generally in support of the proposed rules with some preferences as to the need to list the rules that are elsewhere in the current rules. No other comments were received.

The Board, after consideration of all comments received, and by unanimous vote of those present at the October 24th hearing, does hereby amend the Oil and Gas Program Rules at R649-3-39 to add the language as published to become effective as of November 1, 2012. In addition, the Board orders that the rule be reviewed at the July 2013 Board hearing to consider possible changes to the rule including incorporating by cross-reference the rules in subsections 2 and 3 of R649-3-39 rather than restating them and adding language to address the contingency that the Fracfocus.org website might cease to exist.

DATED this 1st day of November 2012.


James T. Jensen, Chair
Utah Board of Oil Gas and Mining

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing ORDER for Docket No. 2012-033, Cause No. RO&G-2012-02 to be mailed via Email and first class mail, postage prepaid, this 1st day of November, 2012, to the following:

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